

# United States Bankruptcy Court

## Western District of Michigan

Post Office Building, Room #314

PO Box 909

Marquette, MI 49855

**IN RE:** Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

**William Charles Chosa**

PO Box 148

Baraga, MI 49908

SSN: xxx-xx-2859

**Patricia Loraine Chosa**

PO Box 148

Baraga, MI 49908

SSN: xxx-xx-9692

Debtor(s)

**Case Number 05-90710-jrh**

**Chapter 7**

**Honorable Jeffrey R. Hughes**

### NOTICE OF HEARING

### NOTICE OF TRUSTEE'S INTENT TO SELL REAL PROPERTY UPON BIDS IN OPEN COURT

The above motion has been filed with the Bankruptcy Court. Your rights may be affected. **You should read these papers carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)**

If you want the court to consider your views on this matter, attend the hearing scheduled to be held before the Hon. Jeffrey R. Hughes on October 10, 2006 at 9:30 am at Federal Bldg 3rd Floor Courtroom, 202 W. Washington, Marquette, MI

You or your attorney may wish to file a response explaining your position. Such response should be received at least three business days prior to the scheduled hearing. A copy should also be served upon the party who has filed the motion to his/her attorney. **Please refer to Administrative Order 2004-06 (Mandatory Electronic Filing), effective January 1, 2005, for practices and procedures for filing pleadings with the Court.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

**PLEASE NOTE:** NOTICE IS HEREBY GIVEN that the court may, in its discretion, orally continue or adjourn the above hearing on the record in open court. If this occurs, parties in interest will not be given further written notice of the continued or adjourned hearing. If an entity is not present at the originally scheduled hearing, information regarding the time, date and place of an orally continued or adjourned hearing may be obtained at the Clerk's office from the court files or docket.

This Notice has been returned to Colleen M. Olson, Bankruptcy Trustee/Movant, PO Box 56, Cedar, MI 49621. It is Movant (s'/s) responsibility to ensure that service of this Notice and the referenced Motion is made upon the appropriate parties not less than twenty (20) days prior to the date of hearing. (sc)



DANIEL M. LAVILLE  
CLERK OF BANKRUPTCY COURT

**Dated:** September 14, 2006

/S/ \_\_\_\_\_  
Colleen Schlumpf  
Deputy Clerk



UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

In Re:

CHOSA, William & Patricia

Debtors

Chapter 7

Bankruptcy No. HM 05-90710

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**NOTICE OF TRUSTEE'S INTENT TO SELL REAL PROPERTY  
UPON BIDS IN OPEN COURT**

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PLEASE TAKE NOTICE COLLEEN M. OLSON, the duly appointed Chapter 7  
Bankruptcy Trustee in this matter, states as follows:

1. This matter was filed under 7 of the Bankruptcy Code on August 12, 2005  
and Colleen M. Olson is the duly appointed Chapter 7 Trustee.

2. Debtor owns real property located at the corner of Plains Rd. and M-28 in  
Covington Michigan, known as (hereinafter the "Property"). Documents relating to the property  
can be obtained through DENNIS KUBESH, the Auctioneer, at P.O. Box 61, Maple City, MI  
49964.

3. Trustee believes that the acreage and building has a fair market value in  
the vicinity of \$7,200.00 to \$15,000.00 and there is no secured interest in the property.

Property is located on the NE corner of Plains Road and M-28

4. There is a bid of \$7,200 from Scott Flaska. The minimum opening bid will be  
\$7,200.00 with additional bids taken in increments of \$1,000.00.

5. Said sale, if approved, will cause the Bankruptcy Estate to realize monies  
it would not otherwise receive if the property was abandoned or not sold.

6. The property shall be sold "AS IS, WHERE IS", without representation or  
warranty, expressed or implied, of any kind, nature, or description, including, without limitation,  
any warranty of title or of merchantability, usability, or of fitness for any particular purpose.

7. This sale shall be conducted pursuant to 11 USC 363 of the Bankruptcy  
Code, and the property shall be sold free and clear of all interests, liens, and encumbrances.  
To the extent that any such interests, liens, or encumbrances exist, the same shall attach to the  
proceeds of the sale in their present order, rank, and priority.

8. After approval of the sale and without further Order of the Court, the  
Trustee intends to pay from the sale proceeds:

- a. Normal closing costs of sale, including settlement costs, real estate taxes,  
etc.;
- b. Auctioneer's commission;

- c. Trustee's Commission;
- d. Remaining proceeds will be remitted to the Court to be held until further order of the Court.

**9. Pursuant to Local Rule 9013, if you wish to file a response, objection, or request for hearing, it must be filed by a creditor or other party in interest within 20 days and must be filed in writing with the United States Bankruptcy Court for the Western District of Michigan, P.O. Box 909, Marquette, MI 49855, with copies of the same being served upon Colleen M. Olson, Trustee, P.O. Box 56, Cedar, MI 49621**

9. This matter will be sent for hearing on **October 10, 2006 at 9:30 a.m.** for all interested parties to attend and/or bid. Objections to said sale need to be sent to the United States Bankruptcy Court for the Western District of Michigan, P.O. Box 909, Marquette, MI 49855, with copies of the same being served upon Colleen M. Olson, Trustee, P. O. Box 56, Cedar, MI 49621

10. Upon receipt of an objection by the Court, this matter will be set for hearing and Notice served upon the creditors.

Dated: September 13, 2006

/s/ Colleen M. Olson  
COLLEEN M. OLSON (P35581)  
Bankruptcy Trustee  
P.O. Box 56  
Cedar, MI 49621  
231-228-2325